



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,395	07/02/2003	Taylor N. Van Vleet	ZNET.093A	3210

20995 7590 06/02/2008
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
----------	--------------

2157

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

06/02/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
eOAPilot@kmob.com

Office Action Summary	Application No. 10/612,395	Applicant(s) VLEET ET AL.	
	Examiner BARBARA N. BURGESS	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 46-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 46-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Amendment filed January 22, 2008. Claims 1-13, 46-55 are presented for further examination. Claims 56-66 are newly added and presented for initial examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-13, 46-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linden et al. (hereinafter "Linden", US Patent Application Publication 2002/0198882 A1) in view of Marshall et al. (hereinafter "Marshall", US Patent Publication 2006/0004607 A1).

As per claims 1, 55, Linden discloses a web site system and method, comprising:

- A web server system that is responsive to requests from online users by generating and returning web pages, wherein the web server system includes one or more applications that generate personalized content for recognized users based on browse histories (paragraphs [0014, 0019, 0064, 0066], Linden teaches a web server system processing requests received from Internet users. A user's purchase histories, viewing histories, browsing sessions are stored in a database in order that

personalized item recommendations (personalized content) can be made to the user based on the stored histories);

- An event history server that persistently stores event data descriptive of events that occur during browsing sessions of each of a plurality of users of the web server system, wherein the event history server stores the event data substantially as corresponding events are reported to the event history server by the web server system, and makes such event data available in real time to the one or more applications to facilitate personalization of web pages for the users (paragraphs [0015-0017, 0019, 0057], Linden teaches a database/table (event history server) that stores user-specific histories of web pages viewed. The recommendation application uses this information to generate rapidly in real-time personalized recommendations to the users);
- Wherein the event history server implements a query interface through which the one or more applications retrieve the event data associated with particular users at least by event type and event time of occurrence, and the web server system uses the event data retrieved by the one or more applications via said query interface to generate personalized web pages for transmission to users (paragraphs [0086, 0105, 0123, 0127, 0138-0139], Linden teaches a central server (event history server) storing browsing activities as query log data records. Log records can be accessed by entering an item identifier, product ID, or customer ID. The records are used to produce personalized data to the user).

Linden does not explicitly disclose:

- The event history server is capable of responding to a query submitted by an application via said query interface by identifying particular events that match event criteria included in said query, and by returning the event data for said particular events.

However, the use and advantage of submitting a query identifying particular events and matching the criteria from said query is well-known to one of ordinary skill in the art as evidenced by Marshall (paragraphs [0068, 0073-0074], Abstract).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Marshall's submitting a query identifying particular events in Linden's system in order that patient information can be retrieved.

As per claim 2, Linden discloses the web site system of Claim 1, wherein the event history server records the event data for a given event as an event object that includes at least the following: an event type identifier, an event value, a user ID, and a time stamp (paragraph [0105])

As per claim 3, Linden disclose the web site system of Claim 1, wherein the event history server includes at least one storage layer server that stores the event data persistently by user ID, and further includes at least one cache layer server that caches event data of online users (paragraph [0086]).

As per claim 4, Linden disclose the web site system of Claim 3, wherein the cache layer server is configured to collect event data of an unrecognized user during a browsing session, and to pass such collected event data to the at least one storage layer server for persistent storage thereof if the unrecognized user becomes recognized during the browsing session (paragraph [0019]).

As per claim 5, Linden disclose the web site system of Claim 1, wherein the event history sever comprises a plurality of cache layer servers, each of which is assigned to a different respective set of browse session ID's such that a given user remains assigned to a particular cache layer server throughout a browse session (paragraph [0056]).

As per claim 6, Linden discloses the web site system of Claim 1, wherein the event history server comprises a plurality of minored storage layer servers that persistently store like event data by user ID (paragraph [0065]).

As per claim 7, Linden disclose the web site system of Claim 1, wherein the query interface of the event history server supports queries of the form "has User X accessed URL Y?" (paragraph [0138]).

As per claim 8, Linden disclose the web site system of Claim 1, wherein the query interface of the event history server supports queries of the form "when has User X accessed URL Y?"(paragraph [0138]).

As per claim 9, Linden discloses the web site system of Claim 1, wherein the event history server records event data for substantially every mouse click action of every recognized user of a corresponding web site (paragraph [0017]).

As per claim 10, Linden discloses the web site system of Claim 1, wherein the event history server records impression event data indicative of specific items presented to users on dynamically generated web pages (paragraph [0020]).

As per claim 11, Linden discloses the web site system of Claim 1, wherein the at least one application includes a web search application that provides functionality for searching an index of web pages, and uses the event history server to identify and highlight web search result items that have previously been accessed by a user conducting a current search (paragraph [0016]).

As per claim 12, Linden discloses the web site system of Claim 1, wherein the at least one application includes an application that provides functionality for users to interactively view and organize their respective browse history data as recorded by the event history server (paragraph [0065]).

As per claim 13, Linden disclose the web site system of Claim 1, wherein the event history server generates user-specific Bloom filters reflective of event histories of specific users, and uses the user-specific Bloom filters to respond to queries from the at least one application (paragraph [0123]).

As per claim 46, Linden discloses the web site system of Claim 1, wherein the web server system is responsive to a page request from a user during a browsing session by retrieving, from the event history server, event data descriptive of at least one event that has already occurred during the browsing session, and by using the event data descriptive of said at least one event to provide personalized content to the user (paragraph [0127]).

As per claim 47, Linden discloses the web site system of Claim 1, wherein the web server system reports the events directly to the event history server without use of a web log (paragraph [0012]).

As per claim 48, Linden discloses the web site system of Claim 1, wherein the query interface includes functionality for the one or more applications to additionally retrieve the event data based on types of user-selectable display elements associated with the events (paragraph [0093]).

As per claim 49, Linden discloses the web site system of Claim 1, wherein the event history server stores separate event objects for each of a plurality of respective events that occur during a user's browsing session, each event object being a separately retrievable entity that is retrievable via the query interface (paragraph [0123]).

As per claim 50, Linden discloses the web site system of Claim 49, wherein each event object includes an event type identifier indicating a type of an associated event (paragraph [0129]).

As per claim 51, Linden discloses the web site system of claim 1, wherein the web server system comprises an event reporting component that runs on a web server machine and reports the events to the event history server over a network, said web server machine being separate from machines on which the one or more applications run (paragraph [0077]).

As per claim 52, Linden discloses the web site system of claim 1, wherein the event history server stores the event data substantially as corresponding events occur (paragraph [0081]).

As per claim 53, Linden discloses the web site system of claim 1, wherein the event history server additionally stores event data descriptive of events reported to the event

history server by event reporting software that runs on user computers (paragraph [0064]).

As per claim 54, Linden discloses the web site system of claim 1, wherein the event history server is capable of executing a query of the following form, where N, T, and Y are variable parameters: “recall last N events of type T for user Y” (paragraph [0059]).

As per claim 56, Linden does not explicitly disclose the method of Claim 55, wherein storing the event data on the event history server comprises storing a separate event object for each of a plurality of user selection actions performed by a user during a browsing session, each event object being separately retrievable via said query interface.

However, the use and advantage of submitting a query identifying particular events and matching the criteria from said query is well-known to one of ordinary skill in the art as evidenced by Marshall (paragraphs [0068, 0073-0074], Abstract).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Marshall's submitting a query identifying particular events in Linden's system in order that patient information can be retrieved.

As per claim 57, Linden discloses the method of Claim 56, wherein each event object comprises event data specifying at least an event type, an event value, and an event time of occurrence (paragraph [0105]).

As per claim 58, Linden discloses the method of Claim 56, wherein each of the event objects comprises event data specifying a type of display element selected by the user (paragraph [0025]).

As per claim 59, Linden discloses the method of Claim 55, wherein storing the event data on the event history server comprises storing event objects for at least the following types of events: mouse click events, mouse-over events, and impression events, each event object being specific to a particular event and being separately retrievable via the query interface (paragraph [0017]).

As per claim 60, Linden discloses the method of Claim 55, wherein retrieving the event data from the event history server via said query interface comprises submitting a query that specifies an event time range (paragraph [0054]).

As per claim 61, Linden discloses the method of Claim 55, wherein retrieving the event data from the event history server via said query interface comprises submitting a query that specifies a particular type of display element (paragraph [0105]).

As per claim 62, Linden discloses the method of Claim 55, wherein retrieving the event data from the event history server via said query interface comprises submitting a query of the form "has User X accessed URL Y?" (paragraph [0138]).

As per claim 63, Linden discloses the method of Claim 55, wherein retrieving the event data from the event history server via said query interface comprises submitting a query of the form "when has User X accessed URL Y?" (paragraph [0138]).

As per claim 64, Linden discloses the web site system of Claim 1, wherein the event history server is configured to store event objects for at least the following types of events: mouse click events, mouse over events, and impression events, each event object being specific to a particular event and being separately retrievable via the query interface (paragraph [0017]).

As per claim 65, Linden discloses the web site system of Claim 1, wherein the event history server is capable of responding to a query that specifies an event time range by identifying, and returning event data for, events that fall within the event time range (paragraphs [0054, 0102]).

As per claim 66, Linden does not explicitly disclose the web site system of Claim 1, wherein the event history server is capable of responding to a query that specifies a particular type of display element and event type by identifying, and returning event data for, particular events that correspond to the specified type of display element and event type.

However, the use and advantage of submitting a query identifying particular events and matching the criteria from said query is well-known to one of ordinary skill in the art as evidenced by Marshall (paragraphs [0068, 0073-0074], Abstract).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Marshall's submitting a query identifying particular events in Linden's system in order that patient information can be retrieved.

Response to Arguments

The Office notes the following argument(s):

(a) Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Barbara N Burgess/
Examiner, Art Unit 2157

Barbara N Burgess
Examiner
Art Unit 2157

May 27, 2008

/Ario Etienne/

Supervisory Patent Examiner, Art Unit 2157